

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Ledaro Stokes and Carmen L. Stokes

Case No.: 17-12533
Judge: JNP
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☒ Original ☐ Modified/Notice Required ☒ Discharge Sought
☐ Motions Included ☐ Modified/No Notice Required ☐ No Discharge Sought

Date: 2/21/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 150.00 per month to the Chapter 13 Trustee, starting on March 1, 2017 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: 5/21/17

d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ 2,095.00 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: PNC Mortgage (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Isabel C. Balboa, Trustee	Trustee Commissions	As allowed
Victor Druziako, Esq.	Attorney Fees	\$2,500.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Attorney Fees and other priority claims
- 3) All other allowed claims
- 4) _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: _____.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 02/21/2017

/s/ Victor Druziako
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 02/21/2017

/s/ Ledaro Stokes
Debtor

Date: 02/21/2017

/s/ Carmen L. Stokes
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Ledaro Stokes
 Carmen L Stokes
 Debtors

Case No. 17-12533-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 44

Date Rcvd: Feb 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 24, 2017.

db/jdb
 cr +Ledaro Stokes, Carmen L Stokes, 324 Reeves Road, Bridgeton, NJ 08302-7218
 Bay Atlantic Federal Credit Union, McKenna, DuPont, Higgins & Stone, PC, PO Box 610,
 Red Bank, NJ 07701-0610
 lm PNC Bank, PO Box 1820, Dayton, OH 45401-1820
 516636902 Accounts Receivable Management, Inc., POB 129, Thorofare, NJ 08086-0129
 516636939 +C O AMERICAN INFOSOURCE LP, 4515 N SANTA FE AVE, OKLAHOMA CITY OK 73118-7901
 (address filed with court: T-Mobile, POB 742596, Cincinnati, Ohio 45274-2596)
 516636916 CSS & S, 120 Park Ave., Scotch Plains, NJ 07076
 516636906 Capital Bank/Best Buy/HSBC, POB 2983, Milwaukee, Wisconsin 53201-2983
 516636907 Capital One Bank (USA), N.A., POB 71083, Charlotte, North Carolina 28272-1083
 516636908 Capital One Bank (USA), N.A./HSBC, POB 71083, Charlotte, North Carolina 28272-1083
 516636910 +Chase Card, POB 15298, Wilmington, Delaware 19850-5298
 516636911 Citi Bank, POB 6403, Sioux Falls, South Dakota 57117-6403
 516636912 Citi Bank/Home Depot, POB 6403, South Dakota, 57117-6403
 516636913 Citi Bank/Sears, POB 6403, South Dakota, 57117-6403
 516636914 +Comenity Bank/Fashion Bug, POB 182273, Columbus, Ohio 43218-2273
 516636915 +Comenity Capital Bank/Bosco's, POB 182120, Columbus, Ohio 43218-2120
 516636917 +DSNB/Macy's, POB 8113, Mason, Ohio 45040-8113
 516636918 Elmer Emergency Physicians, Attn: Accts Receivable Mgmt, 155 Mid Atlantic Parkway,
 Thorofare, New Jersey 08086
 516636920 +FG&G, 7 Banta Place, Hackensack, NJ 07601-5604
 516636921 +HH&L, 2 Industrial Way West, Eatontown, NJ 07724-2265
 516636922 +LD&V, P.C, POB 1269, Mt. Laurel, NJ 08054-7269
 516636925 +M,W&C, P.C, 216 Haddon Ave., Suite 201, Westmount, New Jersey 08108-2818
 516636926 +Midland Funding, 2365 Northside Drive, #300, San Diego, CA 92108-2709
 516636927 +NN&Z, 425 Eagle Rock Ave., Roseland, NJ 07068-1717
 516636928 PNC Mortgage, POB 1820, Dayton, Ohio 45401-1820
 516636930 Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 516636931 +RCS/CVF Consumer Acquisition, 15 S. Main Street, Greenville, SC 29601-2743
 516636932 +S.J. Emergency Physicians, 65 S. State Street, Vineland, New Jersey 08360-4849
 516636933 +Schachter Portnoy, 3490 US Highway 1, Princeton, NJ 08540-5920
 516636938 TD/Target Card Services, POB 661070, Dallas, Texas 75266-0170
 516636940 +Wells Fargo Bank, POB 14517, Des Moines, Iowa 50306-3517
 516636941 +Wells Fargo Bank/The Avenue, POB 14517, Des Moines, Iowa 50306-3517

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Feb 22 2017 23:55:37 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Feb 22 2017 23:55:35 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516636903 +E-mail/Text: ebn@ltdfin.com Feb 22 2017 23:55:23 Advantage Assets II, LLC,
 7322 Southwest Freeway, Suite 1600, Houston, TX 77074-2134
 516636904 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Feb 22 2017 23:55:31 Asset Acceptance,
 POB 1630, Warren, MI 48090-1630
 516636905 +E-mail/Text: lrichard@bayatlanticfcu.org Feb 22 2017 23:55:38
 Bay Atlantic Federal Credit Union, 101 W. Elmer Road, Vineland, New Jersey 08360-6312
 516636909 E-mail/Text: bankruptcy@cavps.com Feb 22 2017 23:55:53 Cavalry Portfolio Services,
 POB 27288, Tempe, AZ 85285
 516636919 E-mail/Text: bknotice@erccollections.com Feb 22 2017 23:55:42 Enhanced Recovery Company,
 8014 Bayberry Road, Jacksonville, FL 32256-7412
 516636924 +E-mail/PDF: resurgentbknotifications@resurgent.com Feb 22 2017 23:52:15 LVNV Funding,
 POB 10497, Greenville, SC 29603-0497
 516636923 +E-mail/PDF: resurgentbknotifications@resurgent.com Feb 22 2017 23:52:15 LVNV Funding,
 POB 10497, Greenville, South Carolina 29603-0497
 516636929 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 22 2017 23:58:25
 Portfolio Recovery Services, 120 Corporate Blvd., Norfolk, VA 23502-4952
 516636936 +E-mail/PDF: gecsed@recoverycorp.com Feb 22 2017 23:52:06 SYNCB/Dick's Sporting Goods,
 POB 965005, Orlando, Florida 32896-5005
 516636937 +E-mail/PDF: gecsed@recoverycorp.com Feb 22 2017 23:52:06 SYNCB/Lowes, POB 965005,
 Orlando, Florida 32896-5005
 516636935 E-mail/Text: appebnmailbox@sprint.com Feb 22 2017 23:55:32 Sprint, POB 105243,
 Atlanta, Georgia 30348-5243

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516636934 Security Credit Services, LLC, 2623 W. Oxford Loop, Oxford, Mississippi 38655

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 44

Date Rcvd: Feb 22, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 24, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
Michael R. DuPont on behalf of Creditor Bay Atlantic Federal Credit Union
dupont@redbanklaw.com, dana@redbanklaw.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov
Victor Druziako on behalf of Joint Debtor Carmen L Stokes bkdruziako@aol.com
Victor Druziako on behalf of Debtor Ledaro Stokes bkdruziako@aol.com

TOTAL: 6